

CR-08 00452-RMW

PVT

UNITED STATES DISTRICT COURT

E-FILING

NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 9 - 2008

SAN JOSE DIVISION

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA

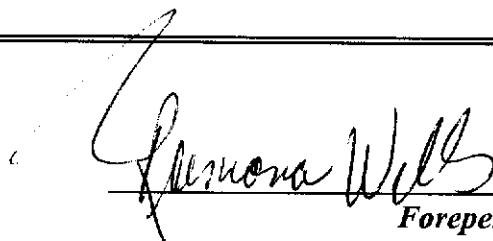
vs.

WENCESLADO VALENCIA-LOPEZ

INDICTMENT

COUNT ONE: 8 U.S.C. Section 1326 - Illegal Re-Entry Following Deportation

A true bill.


Foreperson

Filed in open court this 9 day of July

A.D. 2008


UNITED STATES MAGISTRATE JUDGE

Bail. \$ No Process Required

10
PMT

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

E-FILING

FILED

JUL 9 - 2008

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMW

UNITED STATES OF AMERICA,

Plaintiff,

v.

WENCESLADO VALENCIA-LOPEZ,

Defendant.

CR No. 08 00452

VIOLATION: 8 U.S.C. § 1326 –
Illegal Re-Entry Following Deportation

PVT

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

On or about May 27, 2008, the defendant

WENCESLADO VALENCIA-LOPEZ,

an alien, previously having been arrested and deported from the United States on or about
December 9, 1994, December 14, 1998, May 23, 2000, and September 8, 2003, was found in the
Northern District of California, the Attorney General of the United States and the Secretary for
Homeland Security not having expressly consented to a re-application by the defendant for

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INDICTMENT

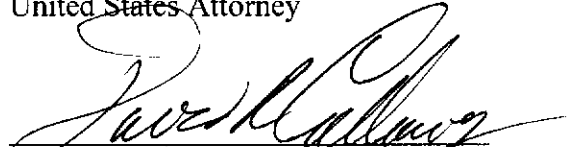
admission into the United States, in violation of Title 8, United States Code, Section 1326.

DATED: 7/9/08

A TRUE BILL.


FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney


DAVID R. CALLAWAY
Deputy Chief, San Jose Branch Office

(Approved as to form: 
SAUSA CHAD MANDELL

INDICTMENT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

COUNT ONE: 8 U.S.C. § 1326 - Illegal
Re-Entry Following Deportation☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
S/A TIMOTHY F. PURDY - ICE☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

08-70338 RS

Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

CHAD MANDELL

Name of District Court, and/or Judge/Magistrate's Office Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

WENCESLADO VALENCIA-LOPEZ

DISTRICT COURT NUMBER

CR - 08 00452

PVT

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☒ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes ☐ NoIf "Yes"
give date
filedDATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____